

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: DAVID C. WENTZ and	:	CHAPTER 13
MICHELLE WENTZ	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
	:	
vs.	:	
	:	
DAVID C. WENTZ and	:	
MICHELLE WENTZ	:	
Respondent(s)	:	CASE NO. 1-16-bk-00260

TRUSTEE'S OBJECTION TO SECOND AMENDED CHAPTER 13 PLAN

AND NOW, this 19th day of May, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Excess disposable income.
2. Trustee avers that debtor(s)' plan is not feasible due to the lack of the following:
- a. The plan is underfunded relative to claims to be paid.
 - b. Plan payments are ambiguous.

3. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(b)(1) in that the plan does not provide for the payment of all of the debtor(s)' projected disposable income for a minimum period of three years.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/James K. Jones
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 19th day of May, 2017, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Michael Csonka, Esquire
166 South Main Street
Kerrstown Square
Chambersburg, PA 17201

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee